1944.

File No. O. Post Office 144

Legal Department

A **BRANCH**

Subject:—

Opinions under the Post Office Act, 1893.

P.E. 1

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C O N T E N T S

Legal Department File No. 2 O. Post Offices/44.

Sr. No.	R.I./G. No.	Subject	Pages
		Opinions under the Post Office Act, 1893.	
1	O.No.7102 12-10-44.	Section 26 (1) power of the Central - Govt. or the Provl. Govt. to issue an order directing that any postal article be intercepted or detained or shall be disposed of in such manner as the authority issuing the order may direct.	1 - 2

SSD.
9-7-56. 5c.

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Office of the R.L.A.

Section 26 (1) of the Indian Post Office Act, 1898, empowers the Central Government or the Provincial Government or any officer especially authorised in this behalf by the Central or Provincial Government to issue on the occurrence of any public emergency or in the interest of the public safety or tranquility an order in writing directing that any postal article or class or description of postal articles in the course of transmission by post shall be intercepted or detained or shall be disposed of in such manner as the authority issuing the order may direct. This provision can be invoked to to intercept all correspondence transmitted by post from or/the Hurs in the Bombay Province provided it is so considered necessary in the interest of the public safety or tranquility, that is to say, such correspondence is considered to have a tendency to disturb the public safety or tranquility. It appears that the Hurs whose correspondence is now porposed to be censored under section 26(1) of the Indian Postal Act are reported to be docile. If so, it would, in the absence of any material in the correspondence of these Hurs to signify the disturbance of public safety or tranquility or any likelihood thereof, - be difficult to support the bonafides of an order under section 26(1) although a certificate issued under Sub-Section (2) provides legal cover.

Id/- P.N.M.
10-10-44.

Remembrancer of Legal Affairs.

U.R. to H.D. No. 7102, dated the 12th October 1944.

SSD.
9.7.56. 4c.